IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

A. O. NO. 86 OF 2006

M/s. Creative Corporation and ors. ... Appellants
VS.
Deepak N. Parekh & ors. . ... Respondents

D.R. Shah i/b. U.S. Samudralaya for appellants.
Mr. A.Y. Sakhare Sr. Advocate
and Y.A.Sakhare i/b. Y.K.S. Legal for respondent no.1.
Ms. Geeta Joglekar for BMC.
Mr. R.T. Padwal for respondent no.3.

CORAM: D. G. KARNIK **J.**

DATE: December 7, 2006

P.C.:

1. Heard learned counsel for the parties.
2. This appeal is directed against the order passed by the City Civil Court on 29th November 2005 in Notice of Motion No. 1879 of 2005 in L.C. Suit no. 1710 of 2005. The order of injunction granted by the City Civil Court was modified by this court by an interim order dated February 6, 2006 passed in this appeal. Learned counsel for the appellant submits that in pursuance of the order dated February 6, 2006, construction has been carried out to the extent permitted by that order. Since the construction has been carried out in

pursuance of the order passed by this court, in my view, whatever has been done cannot be undone during the pendency of the proceedings. Counsel for the parties also agree to this. Hence by consent of the parties the following order is passed.

The rights of the parties shall be governed by the order of this court dated February 6, 2006 passed in this appeal till final disposal of the suit.

Contempt petition shall proceed independently. Appeal is disposed of.

(D.G. KARNIK J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION
Civil application no. 319 of 2006
in
A. O. NO. 86 OF 2006

M/s. Creative Corporation and ors. ... Appellants
VS.
Deepak N. Parekh & ors. . ... Respondents

D.R. Shah i/b. U.S. Samudralaya for appellants.
Mr. A.Y. Sakhare Sr. Advocate
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In view of the disposal of the appeal this civil application does not survive and is disposed of.

(D.G. KARNIK J.)